

SUNSHINE H HAUANIO
NAME P. O. BOX 5630
MAILING ADDRESS
KAILUA-KONA, HAWAII 96745
CITY, STATE, ZIP CODE
(808) 756-1868
TELEPHONE NUMBER
shauanio67@hotmail.com
FACSIMILE AND EMAIL (if applicable)

cc: Filed
FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

AUG 23 2023

at 3 o'clock and 30 min. P M
Lucy H. Carrillo, Clerk 15

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SUNSHINE H. HAUANIO

Plaintiff,

vs.

THE MICHAELS ORGANIZATION

Defendant(s),

CIVIL NO.

CV23 00354 RT

EMPLOYMENT DISCRIMINATION
COMPLAINT

1. Plaintiff resides at:

Address: 74-607 Manawalea Street, APT. 3104

City, State & Zip Code Kailua-Kona, Hawaii 96740

Phone number: (808) 756-1868

2. Defendant is located at:

Address: 74-607 Manawalea Street

City, State & Zip Code Kailua-Kona, Hawaii 96740

EEO 1 - Page 1

Received By Mail
Date AUG 23 2023

fsc,
Mailed On
Date 8/24/2023

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred on this Court by 42 U.S.C. § 2000e-5. Equitable and other relief is sought under 42 U.S.C. § 2000e-5(g).

4. This acts complained of in this suit concern:

- A. ☐ Failure to employ me.
- B. ☒ Termination of my employment
- C. ☒ Failure to promote me.
- D. ☒ Other acts as specified below:

B. I was terminated during my medical treatment while under the care of my physician & undergoing additional treatment for workers compensation for my disability.

C. There was multiple discussions over several occasions of my promised promotion as the assistant manager. However, despite the assurances and discussions, the promotion never materialized. In each discussion, I was provided with positive feedback regarding my work and was told that my promotion was imminent. I was encouraged to continue working hard, taking on additional responsibilities, and going above and beyond my current role to prove my capabilities.

D. I witnessed the mistreatment of my coworker & reported the misconducts. As well as witnessing her public termination among staff members.

5. Defendant's conduct is discriminatory with respect to the following:

- A. ☐ My race or color.
- B. ☒ My religion.
- C. ☒ My sex.
- D. ☐ My national origin.
- E. ☒ Other acts as specified below:

Disability and retaliation.

6. The basic facts surrounding my claim of discrimination are:

1. Religion – Inequalities of religious beliefs and freedoms within the office and during an event with residents.

2. Sex – Pregnancy Discrimination – Manager's comments regarding my future pregnancies and the negative affects it could have on my job due to the leave I would need if I became pregnant again and be away from the office.

3. Retaliation – I reported misconduct in the office. During a staff meeting, I was intimidated, bullied, harassed & publicly embarrassed among staff members for engaging to protect my coworker. I was then terminated from my employment during my medical treatment from a work related injury & filed for workers compensation. I faced other retaliatory repercussions and continue to be retaliated against.

4. Disability – Due to my disability, I was terminated during my medical treatment while under the care of my physician & other on-going treatment for workers compensation.

5. Sexual harassment – I was reported to & witnessed the habitual harassment of my coworker about sexual harassment allegations reported to Management.

1. Jan. - Feb. 2021; 2. Oct. - Dec. 2020;
3. Feb. - April 2021; 4. March & April 2021;
5. Feb. 2021
7. The alleged discrimination occurred on or about _____
(Date)
9. I filed charges with the Federal Equal Employment Opportunity Commission (or the State of Hawaii Department of Labor and Industrial Relations, Enforcement Division) regarding defendant's alleged discriminatory conduct on or about Jan. 23, 2022.
(Date)
10. WHEREFORE, Plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs, and attorney fees.

Dated: Aug. 20, 2023



Signature of Plaintiff

SUNSHINE H. HAUANIO

Plaintiff's Name - printed, or typed.
(Notarization is not required)



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Honolulu Local Office
300 Ala Moana Blvd, Room 4-257
Honolulu, HI 96850
(808) 800-2350
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 05/24/2023

To: Miss Sunshine H. Hauanio
P. O. Box 5630
KAILUA KONA, HI 96745
Charge No: 486-2022-00497

EEOC Representative and email: RHONDA AKIMA MAYO
Investigator
RHONDA.AKIMA.MAYO@EEOC.GOV

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign-in to the EEOC Public Portal and upload the court complaint to charge 486-2022-00497.

On behalf of the Commission,

Digitally Signed By: Christine Park-Gonzalez
05/24/2023

Christine Park-Gonzalez
District Director

Cc:

Madison Edwards
Littler LLP
2049 Century Park East, 5th Floor
Century City, CA 90067

WAYNE YOSHIGAI
Littler LLP
2049 Century Park East, 5th Floor
Century City, CA 90067

Robert Witkoski
The Michaels Organization
PO BOX 90708
Camden, NJ 08101

Please retain this notice for your records.